

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

MICHELE FREEMAN aka MICHELE
 FREEMAN-SALMONESE aka MICHELE
 SALMONESE dba INDUSTRIAL STREAM

Page 1 of 5



Order Filed on July 17, 2018
 by Clerk
 U.S. Bankruptcy Court
 District of New Jersey

Case No.: 18-14281
 Judge: MBK
 Hearing Date(s): June 26, 2018
 Chapter: 13

Recommended Local Form

☐ Followed☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
 AND/OR MOTION TO DISMISS
 WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: July 17, 2018

 Honorable Michael B. Kaplan
 United States Bankruptcy Judge

Applicant: Amboy Bank
Applicant's Counsel: Elizabeth K. Holdren, Esq.
Debtor's Counsel: Michael Douglas Power, Esq.
Property Involved ("Collateral"): 6 Tunica Court, Old Bridge, New Jersey 08857
Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay
against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☐ The Debtor is overdue for _____ months, from _____ to _____.
- ☐ The Debtor is overdue for _____ payments at \$_____ per month.
- ☐ The Debtor is assessed for _____ late charges at \$_____ per month.
- ☐ Applicant acknowledges receipt of funds in the amount of \$_____ received after the motion was filed.

Total Arrearages Due \$_____ -0- (through 5/23/18)

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$_____. Payment shall be made no later than _____. Payment shall be in certified funds, bank check or cashier's check.
- ☒ Beginning on June 23, 2018, monthly mortgage payments shall continue to be made in the amount of \$ variable.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$_____ for _____ months.

☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment: _____

☒ Regular monthly payment: Amboy Bank
350 . Hi ghway
Old Bridge, NJ 08857

☐ Monthly cure payment: _____

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within twenty (20) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$ 350, and costs of \$ 181.

The fees and costs are payable

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

Certificate of Notice Page 5 of 5
United States Bankruptcy Court
District of New Jersey

In re:
Michele Freeman
Debtor

Case No. 18-14281-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 17, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 19, 2018.

db +Michele Freeman, 6 Tunica Court, Old Bridge, NJ 08857-1847

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 19, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 17, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor DITECH FINANCIAL LLC dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Elizabeth K. Holdren on behalf of Creditor Amboy Bank eholdren@hillwallack.com,
jhanley@hillwallack.com
Michael Douglas Power on behalf of Debtor Michele Freeman power@lemonlawonline.com
Rebecca Ann Solarz on behalf of Creditor DITECH FINANCIAL LLC rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6